

**UNITED STATE DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

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U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Danny M. Kelly, pro se
26 School St.
Chelmsford, MA 01863

Plaintiff

Civil Action

Town of Chelmsford
50 Billerica Rd.
Chelmsford, MA 01824

Defendant

COMPLAINT

Participants

The Plaintiff is a resident of the Commonwealth of Massachusetts and a United States Citizen.

The Defendant, Town of Chelmsford, is a duly organized town within the United States.

Jurisdiction

Jurisdiction comes from request for equity and title 28 § 1331, per federal question. The cause is based upon Plaintiff's 1st Amendment rights made applicable by the 14th Amendment. The civil rights violations come from Title 42 § 1983.

Background

The Defendant, Town, has threaten and harassed Plaintiff for over 30 years, drawing its strength from the fact that the Court will do whatever the Town instructs the Court to do. The arrogance became extreme in 2001 when the Town stole my land from me. Taking my land under eminent domain, based upon my owning it rather than its public use for the land. The Town even document that my property should be taken, rather than the more appropriate property, since they knew I could do nothing about it¹.

The Town was correct in their assumption that the Court would ignore its sworn obligation and law and joined forces with the Town to run a scam on me to steal my land. This is obvious within the Court's finding². Even the basic premise of the Court's finding - the case is not ripe for federal review - is impossible to be valid! Land is real property. Its ownership is abstract. So by definition it is known with 100% knowledge that - The Town of Chelmsford denied me the right to own property under the color of state law. How can this not possible be ripe under federal law, 42 § 1983? It is infinitely more valid to argue the something like evolution never occurred then it is to argue that the Court's finding is valid. But then the Court does say that the law and Constitution have no meaning. It is all about the profit that the Court can make. Clearly any Court that had even the slightest respect for its obligation and law

¹ Town of Chelmsford, Massachusetts SEWER COMMISSION, Preliminary Design Report Phase IV Sewers, April 2000

² Kelly v Chelmsford 01cv10635rwz, 01-1863

could easily have resolved the case in less than 5 minutes of the Court's time. Yet after 15 years the case is still ongoing³.

The only option that I have is to search for some Court, somewhere in the country that might have some respect for its obligation and the law. So far I have had no luck. Unfortunately the USDC of Northern Indiana⁴, in direct conflict with the law transferred this case back to the unquestionably corrupt USDC of Massachusetts that has refused to take any action. Knowing that I have incurable stage four Cancer, it is obvious that, since the Court cannot run its scam on me to justify the stealing of my land, they are just going to wait for me to die and steal the land that way. Giving me no hope of ever finding any Court that has even the slightest respect for its obligation or the law.

Now I have to stare out everyday looking at the land openly and unquestionable stolen from my in an unquestionable violation of the Constitution and federal law. Knowing that the Town is absolutely right when they tell you they can do anything they want and there is nothing that I can do about it. So arrogant that they even document their blatant violation of my Constitutionally guaranteed rights. The Town knowing that the Court is a complete joke, that the only thing that matters to it, is the profit they can extort and the Town clearly has far more money to make the payoffs to the Court than I have. Just waiting for me to die so that the Court can be successful in allowing

³ Kelly v Chelmsford, 1st Cir 15-1373

⁴ 2:13-cv-00056-RLM-PRC

the Town to steal my land from me. The shyster scam ran by the Town and Court may have failed, but the years of delay will be successful in allowing the unquestionable violation of the Constitution and the stealing of my land. Clearly a lifetime is not long enough for a person to find even one honorable judge within our indisputably corrupt Court system!

Now the Town wants to continue rubbing salt in my wounds. For many years the Town has a religious⁵ display on its property at School Street and Main Street. Every year it is displayed we complain about this blatant violation of the First Amendment. Every time the Town just ignores our complaints. Rubbing in the fact that there are no laws that protect a person unless they have enough money to payoff the Court and force the Town to respect the law. So it is very sad that once again, while I lay on my deathbed, I am being insulted by the Town's blatant disregard for my civil rights knowing that there is not one thing I can do.

It saddens me to think that I am going to die and not once will my rights secured by the Constitution ever be enforced. Clearly the law and Constitution is nothing more then propaganda. The Court's only goal is their personal profit that they can make. The Town knowing they can abuse me as much as they want and never have to worry about any enforcement of any law that presumably exists to protect me. Knowing that at the end of any battle, the Court will always take a payoff!

Now you might question why do I still bother trying. I am dead, and have yet to find any honor within any Court system. But unlike the Court's finding that are impossible to be valid, there is a slight, obviously extremely low, possibility that there might just be an honorable judge somewhere who's sworn oath has more meaning to them then the personal profit they can make. So I might as well continue my quest, even if it seems impossible.

Statement of Facts

1. The Town has a religious Holiday display on its property at School St. and Main St. See Attachment 1.
2. The Town is well aware that this religious display is in direct conflict with the First Amendment right of separation of Church and State.
3. The Town is allowing this religious display just to hurt and aggravate Plaintiff and his family.

Allegations

1. Plaintiff alleges that the Defendant has intentionally, willingly, wantonly and culpably allows a religious Holiday display to be on Town property at School Street and Main Street in blatant violation of the First Amendment. Plaintiff is requesting declaratory, compensatory, emotional, and punitive damages in an amount to be determined by the Court.

⁵ Nativity scene

The Plaintiff in the above-entitled cause demands a trial by jury and equity.

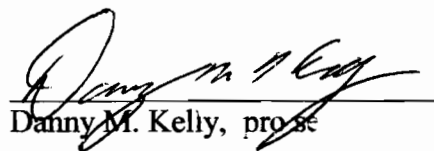
A handwritten signature in black ink, appearing to read "Danny M. Kelly", is written over a horizontal line.

Danny M. Kelly, pro se
26 School St.
Chelmsford, MA 01863
1-978-251-8989

Attachment 1



I, Danny M. Kelly, hereby certify that this picture was taken on December 17, 2015 at the corner of School St. & Main St..


Danny M. Kelly, pro se

Dated: 12/20/15